

December 04, 2008

Received & Inspected

DEC 16 2008

FCC Mail Room

E-rate Partners

5701 East Circle Drive #133

Cicero, New York 13039

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Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: Request for Waiver
Colts Neck Township School District

CC Docket No. 96-45 and Docket No. 02-6

To Whom It May Concern:

Colts Neck Township School District (SD) is requesting a waiver of the E-rate Form 486 Deadline for the following Funding Request Numbers:

Billed Entity Number: 122982

Form 471 Number: 582462

Form 486 Number: 484594

Funding Request Numbers: 1614438, 1614537, 1614628, 1614761, 1614821, 1614887

Please contact Jessica Nilsen with any questions regarding this request.

Jessica Nilsen

Tel: (315) 254-2022

Fax: (888) 372-8303

E-mail: jessica.nilsen@eratepartners.com

Address: 5701 East Circle Drive #133, Cicero, New York 13039

Colts Neck Township SD received a Funding Commitment Decision Letter (FCDL) for Funding Year 2007 (July 1, 2007-June 30, 2008) from the Universal Service Administrative Company Schools and Libraries Division dated December 4, 2007. According the Form 486 instructions, "the complete Form 486 - with Certification - MUST be received by USAC, submitted online or postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of your FCDL, whichever is later, in order to receive discounts retroactively to the Service Start Date."¹ Based on the FCDL date and the Service Start Date, Colts Neck Township SD should have filed and certified a Form 486 for the aforementioned FRNs by April 2, 2008.

Ms. Michele Ritger, Technology Coordinator, was the primary contact and responsible individual for the E-rate application process. However she has resigned her position with the district. As of the 2008-2009 school year, Ms. Ritger's replacement, Ms. Terry Piltzer, assumed primary responsibility for the E-rate application process. In the confusion of the transition, the Form 486 deadline was missed. Upon

¹ http://www.universalservice.org/_res/documents/sl/pdf/486i.pdf

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Ms. Marlene H. Dortch
Federal Communications Commission
December 04, 2008

assumption of the position in September 2008, Ms. Piltzer reviewed the district's E-rate application status and discovered the error. She took steps to remedy the situation, and a Form 486 was filed September 26, 2008. Colts Neck Township SD received a Form 486 Notification Letter dated October 15, 2008 (attached) which adjusted the service start date to May 29, 2008 and reduced the awarded funding proportionately. At this time the district requests that the service start date be readjusted to July 1, 2007 and the funding commitment be restored to the original amount.

Two recent Federal Communications Commission decisions, *Alaska Gateway School District*² and *Alcona County Library*³, support the Colts Neck Township SD's request for a waiver. Both decisions "note that the primary jobs of most of the people filling out these forms include school administrators, technology coordinators and teachers, as opposed to staff dedicated to pursuing federal grants."⁴ As previously noted, the Colts Neck Township SD technology coordinator held the primary responsibility for the E-rate application process. The district did not have a staff position dedicated to the E-rate application process and/or other federal funding. Both decisions also state that in many of the covered cases frequently "staff mistakes or confusion, or circumstances beyond their control resulted in missing the FCC Form 486 deadline."⁵ In the case of Colts Neck Township SD, a procedural deadline was missed. The district had complied with the requirements of the Form 486. They did have an approved Technology Plan covering July 1, 2007-June 30, 2008. They were also compliant with CIPA requirements. Their mistake was a procedural error not a violation of a Commission rule.

The procedural error of one individual whose primary responsibility was not the E-rate application process cost Colts Neck Township SD a potential \$17,431.10 in E-rate funding. Colts Neck Township SD is a district with three schools and approximately 1600 students. The district requests that the Commission consider the positive impact this funding could have within the district and waive the Form 486 deadline for this application.

We appreciate your consideration of this matter. Please contact us if you require any additional information.

Sincerely,

Jessica A. Nilsen
President

² *Requests for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-412028, et al., CC Docket 02-06, (rel. September 14, 2006)

³ *Requests for Waiver of Decisions of the Universal Service Administrator by Alcona County Library Harrisville, Michigan, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-425479, et al., CC Docket No. 02-6, (rel. October 30, 2008)

⁴ *Alaska Gateway School District*, para..7
Alcona County Library, para.. 6

⁵ *Alaska Gateway School District*, para..7
Alcona County Library, para.. 6



Schools and Libraries Division

FORM 486 NOTIFICATION LETTER

(Funding Year 2007: 07/01/2007 - 06/30/2008)

October 15, 2008

Jessica A. Nilsen
COLTS. NECK TWP. SCHOOL DISTRICT
5701 East Circle Drive #133
Cicero, NY 13039

RECEIVED

OCT 22 2008

E-rate Partners

Re: Form 486 Application Number: 484594
Applicant's Form 486 Identifier: 2007ColtsN

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

NEXT STEPS

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

- a. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - Form 486 Number 484594 and FRN(s) as assigned by USAC, AND
 - "Form 486 Notification Letter for Funding Year 2007", AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division - Correspondence Unit
 100 South Jefferson Road
 P.O. Box 902
 Whippany, NJ 07981

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

A guide to the data reported in our letter reports is posted in the Reference Area of our website. Complete Program information, including invoice deadlines is also posted on our website. You may also contact our Client Service Bureau by email using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736, or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division
 Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2007)

Funding Request Number: 1614438
Form 471 Application Number: 582462
Service Provider Name: Verizon Wireless
Service Provider Identification Number: 143000677
Billing Account Number: 732-946-0055
Service Start Date: 05/29/2008*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$1,002.59

Funding Request Number: 1614537
Form 471 Application Number: 582462
Service Provider Name: Verizon New Jersey Inc
Service Provider Identification Number: 143001362
Billing Account Number: 732-946-0055
Service Start Date: 05/29/2008*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$1,588.32

Funding Request Number: 1614628
Form 471 Application Number: 582462
Service Provider Name: Verizon New Jersey Inc
Service Provider Identification Number: 143001362
Billing Account Number: 732-946-0055
Service Start Date: 05/29/2008*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$405.00

Funding Request Number: 1614761
Form 471 Application Number: 582462
Service Provider Name: XTel Communications, Inc.
Service Provider Identification Number: 143010147
Billing Account Number: 732-946-0055
Service Start Date: 05/29/2008*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$45.00

Funding Request Number: 1614821
Form 471 Application Number: 582462
Service Provider Name: Verizon Internet Solutions
Service Provider Identification Number: 143005440
Billing Account Number: 732-946-0055
Service Start Date: 05/29/2008*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$247.13

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2007)

Funding Request Number: 1614887
Form 471 Application Number: 582462
Service Provider Name: Cablevision Systems Corporation (Education Dept)
Service Provider Identification Number: 143007246
Billing Account Number: 732-946-0055
Service Start Date: 05/29/2008*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$198.18

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AP486NL/Schools and Libraries/USAC

AP486NL/Schools and Libraries/USAC